

REMARKS

In the outstanding Official Action, the Examiner:

(1) acknowledged Applicants' previous election of Group I, claims 1-12;

(2) objected to the drawings as failing to comply with 37 CFR 1.84 (p)(4), and required a proposed drawing correction or corrected drawings;

(3) rejected claim 5 under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention;

(4) rejected claims 1 and 4-7 under 35 USC 102(e) as being anticipated by Langberg et al.;

(5) indicated that claims 10-12 are allowed; and

(6) indicated that claims 2, 3, 8 and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In response to Item 1 above, Applicants confirm the previous election of Group I, claims 1-12, drawn to an apparatus for reducing mitral regurgitation.

Applicants expressly reserve the right to prosecute all non-elected subject matter in related applications.

In response to Item 2 above, Applicants have now amended Fig. 5 to replace reference numerals "56" with -- 57 -- and have now amended the specification on page 16, line 14, through page 18, line 8, to replace reference numeral "56" with -- 57 -- after the word "bridges".

In response to Item 3 above, Applicants have now amended claim 5 to more clearly define the present invention. Specifically, claim 5 is now amended to recite that the selected one of the second configuration is the less curved configuration, and further wherein the less curved configuration is substantially straight. Accordingly, claim 5 is believed to be in condition for allowance, and allowance thereof is respectfully requested.

In response to item 4 above, Applicants have now amended claims 1 and 5 to more clearly define the present invention as claimed with respect to the prior art of record.

Independent claim 1 comprises apparatus for reducing mitral regurgitation comprising a flexible

spine forming a longitudinal axis from the proximal end to the distal end, a plurality of wire supporting portions extending transversely from the spine, each portion defining a channel therethrough configured on the spine, the plurality of wire supporting portions defining a plurality of openings therebetween, and a plurality of flexible bridges connecting the plurality of wire supporting portions to one another, and a flexible wire slideably mounted through the plurality of wire supporting portions on the spine and having a distal end fixed to the spine proximate to the distal end of the spine, and having a proximal portion extending from the proximal end of the spine.

Applicants believe that Langberg et al. disclose a device for mitral annuloplasty and cardiac reinforcement in which a forming element and an elongate support extending through a body and mechanically linked together at a point of attachment. Applicants believe that Langberg et al. do not disclose the flexible spine of the present invention as described above with a plurality of wire supporting portions having a flexible wire slideably mounted therethrough and a plurality of flexible bridges

connecting the plurality of wire supporting portions to one another. Accordingly, claim 1 is believed to be in condition for allowance, and allowance thereof is respectfully requested.

Claims 4-7, which depend directly or ultimately from independent claim 1, are believed to be in condition for allowance for at least the above identified reasons. Accordingly, allowance of claims 4-7 is respectfully requested.

In response to item 5 above, Applicants thank the Examiner for her indication that claims 10-12 are allowed.

In response to Item 6 above, Applicants thank the Examiner for her indication that claims 2, 3, 8 and 9 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have now added new independent claims 18-21, which correspond to claims 2, 3, 8 and 9, respectively, and include the limitations of the base claim and any intervening claims. Accordingly, claims 18-21 are believed to be in condition for allowance, and allowance thereof is respectfully requested.

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In the event that any additional fees may be required to be paid in connection with this submission, please charge the same, or credit any overpayment, to Deposit Account No. 16-0221.

Respectfully submitted,

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